

BY-LAWS

PASSED BY THE

MUNICIPAL COUNCIL

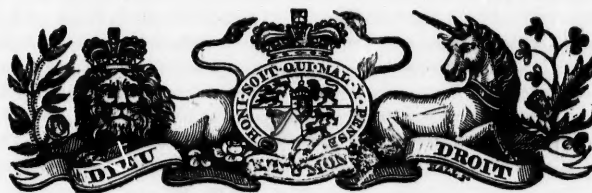
OF THE

COUNTY OF NORFOLK,

AT ITS

FIRST SESSION, HELD IN JANUARY, 1850.

JOHN B. CROUSE, Esquire, Warden.



SIMCOE:

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1850.

EXCHANGE

FOR THE

UNITED STATES

OF THE

1850



1850



BY-LAWS

OF THE

COUNTY OF NORFOLK MUNICIPAL COUNCIL,

PASSED AT THE JANUARY SESSION, 1850.

A BY-LAW,

To define the duties of certain Officers, and for other purposes therein mentioned.

Title.

PASSED JANUARY 30TH, 1850.

WHEREAS it is expedient and necessary to define the duties of certain Officers hereinafter named, and to provide Preamble.
for the more effective discharge of such duties:

Be it therefore enacted, By the Warden and Municipal Councillors of the County of Norfolk, in Municipal Council assembled, That it shall be the duty of the Clerk of this Council, to cause to be furnished to each Township Assessor within this County, on or before the first Monday in February, in the present and each year hereafter, three suitable books, prepared for taking the assessments within such Townships, according to the Assessment Laws of this Province: And to the Enumerator, by the time aforesaid, for taking the Census and obtaining other statistical information required by law within each Township of this County, for the present and every Fifth year thereafter, a like number of books, prepared for taking such census and obtaining such information. All which said books shall be so furnished at the expense of the County, and shall be paid for by the Treasurer of the County on the cheque of the Warden.

Duty of Clerk.

Assessment
Rolls;

Enumeration
Rolls;

by whom fur-
nished.

And be it further enacted, By the authority aforesaid, That said Township Assessors and Enumerators shall, within the months of February and March in each year, take such Assessment, Census, and Enumeration; and shall, within the month of April in each such year, deposit one copy of such Assessment and one copy of such Census book in each of the offices of Township and County Clerks.

Duty of
Assessors and
Enumerators.

Defaulting Assessors fined; *And be it further enacted,* By the authority aforesaid, That any Assessor or Enumerator who shall make default in taking such Assessment, Census, or Enumeration within the time aforesaid, or who shall fail to furnish to the said Clerks a copy of such book or books, in manner and by the time aforesaid, shall forfeit and pay for such default a penalty of not more than Five Pounds and not less than Ten Shillings: And the Clerk of the County and the Clerk of each Township shall, at the first meeting of the County or Township Council next held after the first day of May in each year, report to the said Council the name of any Assessor or Enumerator who shall not have completed and delivered into his office such Assessment or Census books: And the Council of the Township for which any such delinquent Assessor or Enumerator shall have been appointed, shall forthwith appoint another Assessor or Enumerator for that year; who shall have the same power and authority, and be liable to the same responsibilities, as the Assessor or Enumerator first appointed; and who being qualified as the law directs, shall proceed to take such Assessment and Census, and make their returns to the County and Township Clerks, as hereinbefore provided, within one month after his or their notification of such appointment.

Who shall be Enumerators. *And be it further enacted,* By the authority aforesaid, That the respective Assessors of Townships shall also be the Enumerators, unless it be otherwise provided by the Township Council.

Persons refusing lists of property fined. *And be it further enacted,* By the authority aforesaid, That if any person shall neglect or refuse to deliver to the Assessor a true list of his, her, or their rateable property, as the law directs, and in manner and form set forth in the Assessment books aforesaid, or shall wilfully misstate such rateable property, such person or persons shall forfeit and pay a sum not less than Ten Shillings nor more than Five Pounds, with costs, for every such neglect or refusal.

Assessors to certify returns on oath; how. *And be it further enacted,* By the authority aforesaid, That the said Assessors and Enumerators shall respectively sign and certify their returns; and make oath or affirmation—if entitled by law to affirm—before any Justice of the Peace within this County, to the effect that the same have been truly and faithfully taken by them; and that the same are correct as far as they can ascertain.

Remuneration of Assessors; fees to be audited. *And be it further enacted,* By the authority aforesaid, That the said Assessors and Enumerators shall be entitled to receive for taking such Census, Assessment, and Enumeration, fees heretofore accustomed to be paid, or which shall be established by the respective Township Councils for such services; which said fees shall be audited by the Auditors of the County, and shall be chargeable upon the funds applicable to the general purposes of the County.

County Clerk to furnish Collectors Rolls; *And be it further enacted,* By the authority aforesaid, That it shall be the duty of the County Clerk, within two months after receiving such Assessment rolls or books, to prepare and furnish the respective Township Collectors within this County with certified Rate Rolls, wherein all County and Provincial rates shall be divided and apportioned upon each and every person and persons, whose name or names is or are included in such Assessment rolls for their respective Township, in just proportion to the list of his, her, or their rateable property, real and personal; and in accordance with the Assessment Laws of this Province: And which said Rate Rolls so certified shall be to each and every Collector sufficient authority for collecting the same; and from time to time to demand and receive from the inhabitants of the Township for which such Collector is appointed, all such rates and assessments as may be due and payable by them respectively on such Rate Roll.

Collectors to deliver bonds to Treasurers. *And be it further enacted,* By the authority aforesaid, that it shall be the duty of each and every Collector, before receiving such rate, to deliver his bonds, duly executed by himself and two sufficient Freeholders of this County, (approved by the respective Treasurers to whom such bonds are to be delivered,) one to the Township Treasurer for the collection and payment into his hands of all local and township rates; and the other to the County Treasurer for the collection and payment into his hands of all County and Provincial rates.

Time for collecting rates and paying the same to Treasurers; *And be it further enacted,* By the authority aforesaid, that every Township Collector shall collect all rates (which can be collected) set forth in his said Rate Rolls, and shall pay over the amount, and finally settle his account with the said Treasurers respectively, on or before the third Tuesday in December in each year, or sooner if required so to do by any By-Law of this Council, or of the Council of the Township for which he is appointed such Collector: *Provided always,* that it shall and may be lawful for every such Collector to receive for himself such fees for a compensation for his services as have heretofore been accustomed to be paid, or which may be established by the Township Council, or limited by any By-Law of either of the said Councils imposing assessments.

And be it further enacted, By the authority aforesaid, That if any person whose name is inserted upon such Rate

Roll, shall neglect or refuse to pay the sum or rate for which he, she, or they stand rated in manner aforesaid, for the space of fourteen days after demand duly made of the same by the said Collector or his agent duly appointed, the said Collector upon oath before one Magistrate of such demand and refusal of payment, as aforesaid, shall be entitled to demand an execution for the amount of such rate or rates; which execution the said Magistrate is hereby authorised and required to grant; and upon receipt of the same, the said Collector shall, and he is hereby authorised and required to levy the same by distress and sale of the goods and chattels of the person so refusing or neglecting to pay: Having eight days notice of such sale in three public places in the Township; and render the overplus (if any there be,) to the owner thereof, after deducting the amount of the rates assessed, and the legal charges of the distress and sale.

Penalty on persons refusing or neglecting to pay rates;

rates may be levied by distress and sale of goods; notice; overplus.

And be it further enacted, By the authority aforesaid, that it shall be the duty of the Assessors of each and every Township within this County, to make out a Schedule of all lands within the same not included within their several Assessment books; and they shall sign and deliver the same to the County Clerk, along with the Assessment books, for the information of the Treasurer, in the following form:—

Assessor to make schedule of lands;

SCHEDULE OF LAND

In the Township of —, in the County of Norfolk, not inserted in the Assessment Roll of the said Township in the year —

form thereof.

Lots or part of Lots.	Concession.	Number of Acres.
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And be it further enacted, By the authority aforesaid, That the following fee, and no more, shall and may by such collectors be taken for every distress, advertising, and sale; namely, Three Shillings and Nine Pence.

Collector's fees for distress and sale.

And be it further enacted, By the authority aforesaid, That all fines and penalties imposed by this By-Law, shall and may be levied by distress and sale of the offender's goods and chattels; under and by virtue of the warrant of a Magistrate of the County; and shall be paid into the hands of the Treasurer of the County, for the general purposes thereof; eight days previous notice of said sale being given, and the overplus (if any there be) being rendered to the owner.

Fines and penalties how levied and applied notice of sale; overplus;

And be it further enacted, By the authority aforesaid, That if any person who shall occupy a House, Farm, or Tenement, in any Township or place within this County, and shall have been assessed for the same, shall leave such Township or place before the said assessed rates shall have been paid, it shall and may be lawful for the said Collector to ask, claim, and recover the said rates (except such parts thereof as shall have been charged on moveable property,) from the owner of the said House, Farm, or Tenement: *Provided* the same shall be demanded fourteen days before the second Monday in December in each year; but should the year in which the said rates are due expire before the said rate be demanded, then and in that case the Collector shall be liable for the amount: Nevertheless the said Collector shall be entitled to procure by warrant of distress against any such Tenant, although he may have left the Township, and that the Collector may in like manner proceed to receive from all other persons residing in his Township, the assessed rates which shall not have been paid by the first Monday in November in each and every year; the same having been demanded fourteen days previous to the date of the Magistrate's warrant of distress.

Tenants and occupants leaving their holdings;

proceedings against owners of tenements;

exceptions; proviso.

Collector's liabilities.

Collector's remedy if rates not paid by 1st Monday in November.

JOHN B. CROUSE,

Warden.

COUNCIL CHAMBER,
30th January, 1850.

A BY-LAW,

To provide for the remuneration of the County Clerk, to repeal part of a By-Law, and for other purposes therein mentioned.

Title.

PASSED JANUARY 30TH, 1850.

WHEREAS it is proper and necessary that provision should be made for the remuneration of the Clerk of this County, commensurate with the increased duties of his office, under recent acts of the Provincial Parliament: **Preamble.**

Authority *Be it therefore enacted, By the Warden and Councillors of the County of Norfolk, in Municipal Council assembled,*
By-law recited That so much of a By-Law of the late Talbot District Council, passed on the 18th day of February, 1843, and entitled,
"A By-Law to provide for the remuneration of certain District Officers, and to amend a By-Law therein mentioned,"
and repealed. as provides a salary for the Clerk of the said District, be and the same is hereby repealed.

Amount of *And be it enacted, That the County Clerk shall be entitled to receive and be paid, out of the funds applicable to*
County Clerk's the general purposes of the County, in quarterly payments for the year ending on the fourth Monday in January, 1851,
salary; and annually in such payments thereafter, the sum of One Hundred Pounds, for preparing the annual Collectors' Rolls
duties defined: for the general purposes of the County, under any By-Law made by the said District Council, or to be made by this
exception as to Council, or under and by virtue of any Statute of the Provincial Legislature; and for all other services in his Office,
certain fees. as such Clerk, in lieu of all fees, except those provided by the By-Laws of the said late Talbot District Council.

JOHN B. CROUSE,
 Warden.

COUNCIL CHAMBER, }
 30th January, 1850. }

A BY-LAW,

Title. *To provide for the remuneration of County Councillors while attending Sessions or Meetings of Council.*

PASSED JANUARY 30TH, 1850.

Preamble. **W**HEREAS it is proper and necessary that provision should be made for the remuneration of County Councillors while attending their duties at the sittings of this Council:

Authority. *Be it therefore enacted, By the Warden and Councillors of the County of Norfolk, in Municipal Council assembled,*
Councillors to That each and every Councillor shall receive and be paid the sum of Ten Shillings, Currency, for each and every day
be paid 10s per that he shall be necessarily in attendance at and during the Meetings of the said Council; and that the said sum shall
day while at- be in lieu of and in full for all travelling expenses and charges whatsoever, while attending such meetings of the
tending Council said Council: *Provided always, nevertheless,* That the Town Reeves from the Townships of Houghton and Walsingham,
Previso as to ham, shall be entitled to and paid the sum of Ten Shillings additional, in consideration of the greatly increased distance
Reeves from which they have to travel in coming to and returning from the Meetings of this Council.
Houghton and
Walsingham.

JOHN B. CROUSE,
 Warden.

COUNCIL CHAMBER, }
 30th January, 1850. }

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